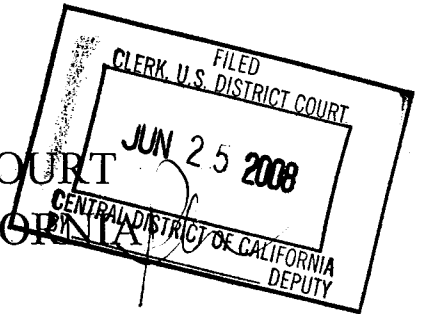


UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA



UNITED STATES OF
AMERICA,

Plaintiff,

vs.

Nazario Flores,
Defendant.

Case No. *CR 08-688-47*

ORDER OF DETENTION

I

- A. ☐ On motion of the Government in a case allegedly involving:
1. ☐ a crime of violence.
 2. ☐ an offense with maximum sentence of life imprisonment or death.
 3. ☒ a narcotics or controlled substance offense with maximum sentence of ten or more years.
 4. ☐ any felony - where defendant convicted of two or more prior offenses described above.
 5. ☐ any felony that is not otherwise a crime of violence that involves a minor victim, or possession or use of a firearm or destructive device or any other dangerous weapon, or a failure to register under 18 U.S.C. § 2250.

B. ☒ On motion by the Government/ ☐ on Court's own motion, in a case allegedly involving:

☒ On the further allegation by the Government of:

1. ☒ a serious risk that the defendant will flee.
2. ☐ a serious risk that the defendant will:
 - a. ☐ obstruct or attempt to obstruct justice.
 - b. ☐ threaten, injure or intimidate a prospective witness or juror, or attempt to do so.

C. The Government ☒ is/ ☐ is not entitled to a rebuttable presumption that no condition or combination of conditions will reasonably assure the defendant's appearance as required and the safety of any person or the community.

II

A. ☒ The Court finds that no condition or combination of conditions will reasonably assure:

1. ☒ the appearance of the defendant as required.

☒ and/or

2. ☒ the safety of any person or the community.

B. ☒ The Court finds that the defendant has not rebutted by sufficient evidence to the contrary the presumption provided by statute.

III

The Court has considered:

A. the nature and circumstances of the offense(s) charged, including whether the offense is a crime of violence, a Federal crime of terrorism, or involves a minor victim or a controlled substance, firearm, explosive, or

destructive device;

- B. the weight of evidence against the defendant;
- C. the history and characteristics of the defendant; and
- D. the nature and seriousness of the danger to any person or the community.

IV

The Court also has considered all the evidence adduced at the hearing and the arguments and/or statements of counsel, and the Pretrial Services Report/recommendation.

V

The Court bases the foregoing finding(s) on the following:

- A. ☒ As to flight risk:
- see PSA pgs 5 (incorporated)*

- B. ☒ As to danger:
- see PSA pgs 6 (incorporated)*

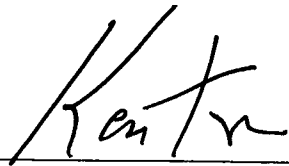
VI

- A. ☐ The Court finds that a serious risk exists the defendant will:
1. ☐ obstruct or attempt to obstruct justice.
 2. ☐ attempt to/ ☐ threaten, injure or intimidate a witness or juror.
- B. The Court bases the foregoing finding(s) on the following:

VI

- A. IT IS THEREFORE ORDERED that the defendant be detained prior to trial.
- B. IT IS FURTHER ORDERED that the defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal.
- C. IT IS FURTHER ORDERED that the defendant be afforded reasonable opportunity for private consultation with counsel.
- D. IT IS FURTHER ORDERED that, on order of a Court of the United States or on request of any attorney for the Government, the person in charge of the ~~corrections facility in which defendant is confined deliver the defendant to a United~~ States marshal for the purpose of an appearance in connection with a court proceeding.

DATED: 6/25/08



UNITED STATES MAGISTRATE JUDGE